REMARKS

Claims 1-17 were pending in the application. Claims 1-4 and 8-14 have been amended. Claims 6, 7, 15, and 17 have been cancelled without prejudice or disclaimer. Claims 18-21 have been added. Therefore, claims 1-5, 8-14, 16, and 18-21 are pending and submitted for reconsideration.

35 U.S.C. § 102(b) Rejection

Claims 1, 3-5, 7-9, and 11-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0849227 ("Joko"). Claims 1, 3-5, 9-14, and 16 now depend from amended claim 8. Claims 7, 15, and 17 have been cancelled. The rejection should be withdrawn for at least the following reason.

Joko fails to teach or suggest each and every element of the claims. For example, Joko does not teach or suggest a water treatment method that comprises, among other things,

> applying current to a pair of electrodes for electrolysis of said water to be treated to decompose or alter at least a portion of a chemical structure of said pharmaceutical drug in said water to be treated applied into said storage means for eliminating or reducing at least one of a bactericidal action, disinfection, carcinogenicity, cytotoxicity, mutagenicity, teratogenicity, spermatoxicity, and antibacterial activity of said pharmaceutical drug

as recited in amended claim 8. The Examiner contends that the water in Joko can come from a pharmaceutical facility and would include a pharmaceutical drug. *See* Office Action at p. 2. However, Joko merely discloses that the waste water can come from several sources, but that the waste water contains nitrogen compounds. *See* Joko at ¶ [0017]. Joko merely discloses a method for treating waste water with nitrogen compounds to break down the nitrogen compounds. *See* Joko at ¶ [0012]. Thus, Joko does not disclose applying electrodes to said waste water for "eliminating or reducing at least one of a bactericidal action, disinfection, carcinogenicity, cytotoxicity, mutagenicity, teratogenicity, spermatoxicity, and antibacterial activity of said pharmaceutical drug" as recited in amended claim 8. Applicants respectfully request reconsideration and withdrawal of the rejection.

Dependent claims 1, 3-5, 9-14, 16 and new claim 18 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

35 U.S.C. § 103(a) Rejection

Claims 2, 6, and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Joko in view of U.S. Patent No. 6,475,371 ("Shirahata"). Claim 6 has been cancelled. The rejection should be withdrawn for at least the following reason.

Claims 2 and 10 depend from amended claim 8. None of the references, taken together or separately, teach or suggest each and every element of the claimed invention. For example, the references fail to teach or suggest a water treatment method that comprises, among other things,

> applying current to a pair of electrodes for electrolysis of said water to be treated to decompose or alter at least a portion of a chemical structure of said pharmaceutical drug in said water to be treated applied into said storage means for eliminating or reducing at least one of a bactericidal action, disinfection, carcinogenicity, cytotoxicity, mutagenicity, teratogenicity, spermatoxicity, and antibacterial activity of said pharmaceutical drug

as recited in amended claim 8. Joko merely discloses a method of breaking down nitrogen compounds. *See* Joko at ¶ [0012]. Shirahata merely discloses a method of producing electrolytic water that is used for cancer treatment. Thus, Shirahata teaches a method to create water with a cancer drug, not a method of "eliminating or reducing at least one of a bactericidal action, disinfection, carcinogenicity, cytotoxicity, mutagenicity, teratogenicity, spermatoxicity, and antibacterial activity of said pharmaceutical drug" as recited in amended claim 8.

Furthermore, there is no motivation to combine Joko with Shirahata. Joko discloses a method of reducing nitrogen compounds in *waste* water. *See* Joko at ¶ [0012]. To the contrary, Shirahata discloses a method of creating electrolytic water to be used in treating cancer. *See* Shirahata at col. 1, lines 8-14. Thus, the principle of operation of Shirahata is different than that of Joko. *See* MPEP 2143.01.

Additionally, none of the references teach or suggest a "liquid level sensing means for sensing a liquid level of said water to be treated in said storage means." The Office Action correctly states that Joko does not disclose the use of a valve or a control means. *See* Office Action at p. 4. Furthermore, Joko does not disclose a "liquid level sensing means." Shirahata fails to cure the deficiencies of Joko. Shirahata merely discloses a metering pump and valves to control the addition of a NaOH solution to the water. *See* Shirahata at col. 4, lines 24-27. Shirahata does not disclose a "liquid level sensing means." Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2 and 10.

New Claims 19-21

Applicants respectfully contend that new independent claims 19-21 are in condition for allowance for at least the following reasons.

None of the references, taken together or separately, teach or suggest a water treatment method that comprises, among other things,

> wherein said applying step includes the step of adjusting an amount of said water to be treated applied to said storage means to maintain a liquid level in said storage means at a predetermined height by controlling opening/closure of an inlet valve through which the water to be treated flowing into said storage means passes and an output valve through which the water from said storage means passes based on a signal from liquid level sensing means sensing a liquid level of said water to be treated in said storage means

as recited in new claim 19. Joko and Shirahata fail to disclose a "liquid level sensing means" that senses a liquid level of water in the storage means.

None of the references, taken together or separately, teach or disclose a water treatment method that comprises, among other things, "separating solid precipitates and sludge generated by electrolysis of said pharmaceutical drug or a substance other than the pharmaceutical drug included in said water to be treated from said pair of electrodes by removing solid precipitates and sludge from said storage means" as recited in new claim 20. Joko merely discloses breaking down nitrogen compounds. *See* Joko at ¶ [0012]. Shirahata merely discloses creating an electrolytic water for use in cancer treatment. Neither reference discloses separating "solid precipitates and sludge generated by electrolysis."

Additionally, none of the references, taken together or separately, teach or suggest a water treatment method that comprises, among other things, applying current to a pair of electrodes for electrolysis "to decompose or alter at least a portion of a chemical structure of said pharmaceutical drug in said water to be treated applied into said storage means for eliminating or reducing pharmacological activity and/or toxicity of said pharmaceutical drug" as recited in new claim 21. Joko merely discloses breaking down nitrogen compounds from water. Shirahata merely discloses creating an electrolytic water for cancer treatment. Thus, Applicants respectfully contend that new claims 19-21 are in condition for allowance.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 17 April 2007

By Jessica M. Cahill Reg. # 56,986
Jessica M. Cahill for
William T. Ellis
Attorney for Applicants
Registration No. 26,874

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5485
Facsimile: (202) 672-5399